IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Bail Appl..No. 820 of 2007()

(CRIME NO.20/04 OF KORATTY POLICE STATION)

PETITIONER/ACCUSED NO.4:

GIBISH, S/O. CHANDRAN,
AGED 24 YEARS, PENGADAN HOUSE, KOOVAKKATTUKUNNU,
MELOOR VILLAGE.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 820 OF 2007 B

Dated this the 12th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the 4th accused in Crime No.20/2004 of Koratty Police Station for offences punishable under Sections 457 and 380 I.P.C., seeks anticipatory bail. The case, after conclusion of investigation, is now pending before the JFCM, Chalakkudy as C.C.No.1899/2006. The case of the prosecution is that accused Nos.1 to 5 trespassed into the Village Office, Meloor and committed theft of tax receipt book, seal, etc.

2. In as much as the case is now pending trial before the JFCM, Chalakkudy as C.C.No.1899/06, anticipatory bail cannot be granted. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, he shall be released on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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